

MINUTES

The Tennessee State Board of Barber Examiners held a meeting on April 21, 2008 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: J. B. Loring, President, JaSanto Williams, Vice-President, Vernon Winfrey and Joe Jones. Cecil Groce was not present.

Others present were: Beverly Waller, Executive Director, Terrance Bond, Staff Attorney and Debbie Gean, Administrative Assistant.

J. B. Loring, President asked all to join in prayer.

J. B. Loring, President asked all to stand for the pledge of allegiance.

J. B. Loring, President asked for a roll call.

MINUTES

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Joe Jones to approve the minutes from the March 17, 2008. Motion carried unanimously.

APPEAR BEFORE THE BOARD

Lori A. Lovins, Lewisburg, TN - Present. Ms. Lovins is a barber technician who is currently working in a barber shop under the supervision of a master barber. Ms. Lovins has seven (7) years experience as a barber technician. The master barber will be out of work for a period of time, due to surgery and Ms. Lovins is requesting the board let her work in the shop while the master barber is out of work. The master barber will be returning to work on June 10, 2008.

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Joe Jones to grant Ms. Lovins her request. Motion carried unanimously.

ADMINISTRATIVE REPORT

The Barber School and Company located at 112 S. Church St., Ste. 1630, Murfreesboro, Tennessee was inspected by Terry Barnes, Inspector and Ms. Beverly Waller, Executive Director on March 24, 2008. This school was found to be in compliance with all regulations required by the board. This is a very nice school. The inspection sheet was presented to the board members. Ms. Waller stated she did approve the school to open and is asking the board for final approval.

MOTION was made by Mr. Joe Jones and seconded by Mr. Vernon Winfrey to approve the school. Motion carried unanimously.

Kyandra Pittman is requesting an extension from the 2007 barber instructor seminar. She did not state in her request a reason she did not attend the seminar.

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Vernon Winfrey to deny the request and require Ms. Pittman to take and pass the instructor examination. Motion carried unanimously

Arcenio Valencia Segura is requesting reciprocity of his master barber license from The Republic of Columbia. Education shows Academy of Beauty in the specialty of high salon with total intensity 2,000 hours.

MOTION was made by Mr. Vernon Winfrey and seconded by Mr. Joe Jones to deny the request and request more information on his education. Motion carried unanimously.

Monica Terrel Scott is requesting reciprocity of her master barber license from Louisiana. Education is 4,000 apprenticeship hours and she received original license March 31, 2004.

MOTION was made by Mr. Joe Jones and seconded by Mr. Vernon Winfrey to deny the request for reciprocity and require Ms. Scott to attend school in Tennessee. Motion carried unanimously.

Jason Ogg, Owner of Image I salon is requesting a reduction in a civil penalty he received. A violation was issued to his shop October 2, 2007 for an expired license (April 30, 2005) which resulted in a civil penalty of \$1,500.00. He has submitted a good faith payment in the amount of \$125.00 with a request for reduction in the civil penalty amount to \$750.00 or approval to make payments of \$125.00 each month for eleven (11) months. Ms. Waller read the board the complete request for their decision.

MOTION was made by Mr. Vernon Winfrey and seconded by Mr. Joe Jones that the penalty remains \$1,500.00 with payments of \$125.00 a month for the next eleven (11) months. Motion carried unanimously.

The board individually voted and all agreed that the penalty remain at \$1,500.00.

Corey Murray is requesting reciprocity of his master barber license from Louisiana. Education show 4,000 hours in an apprenticeship program with date of original license as August 28, 1995.

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Vernon Winfrey to deny the request and require Mr. Murray attend a school in Tennessee. Motion carried unanimously.

Ms. Waller informed the board that she has a school that has not sent in monthly hour reports in sixteen (16) months. Ms. Waller stated she has talked with this school

and had no results. The barber rule states:

0200-1-.02 Curriculum

Submit to the office of the Board, on the prescribed form, a monthly progress report on each student enrolled. The monthly reports must be received no later than the tenth (10th) of each month for the previous month's hours of instruction. If reports are not submitted by this date, a penalty set by the board will be issued for violation of this rule.

MOTION was made by Mr. Joe Jones and seconded by Mr. JaSanto Williams to open a complaint against this school. Motion carried unanimously.

Ms. Waller advised the Board, PSI is in the process of interviewing for a barber rater at the Knoxville test site. Barbers are required to have at least ten (10) years experience in barber instruction or in the field of barbering to qualify as a rater. PSI advised Ms. Waller they have interviewed several applicants in the Knoxville area with 7-8 years of experience. PSI would like the Barber Board to consider reducing the required years to qualify as a Barber rater to 7 years.

MOTION was made by Mr. Joe Jones and seconded by Mr. Vernon Winfrey to accept 7 years of experience for the position of rater, but not less than 7. Motion carried unanimously.

Consent orders totaled \$250.00.

William Moore
1305 Rosedale Avenue
Nashville, TN 37207

Violation issued February 22, 2008
Pd \$250.00 on 4-16-08

MOTION was made by Mr. Joe Jones and seconded by Mr. JaSanto Williams to accept the consent order. Motion carried unanimously.

STAFF ATTORNEY REPORT

1. Case No. L-08-BAR-RBS-200800766-1

March 19, 2008 Notice of Violation states that the Inspector observed an individual working at inspection time with a license that expired on August 31, 2007. The individual now has an active license.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$500.00.00 civil penalty

2. Case No. L-08-BAR-RBS-200800682-1

March 4, 2008 Notice of Violation states that the new owner of this shop failed to report the change of ownership of the shop within thirty (30) days of the change.

Recommendation: Close with a letter of warning. (Civil penalty has already been assessed by the Cosmetology Board)

3. Case No. L-08-BAR-RBS-200800767-1

March 6, 2008 Notice of Violation states that the Inspector observed an individual practicing barbering who did not have a valid, Tennessee state board-issued certificate of registration. The individual has a current Georgia barber license.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$500.00 civil penalty.

4. Case No. L-07-BAR-RBS-200700677-1

March 7, 2008 Notice of Violation states that the Inspector observed a barber technician performing services on a customer while no master barber was present. The Inspector also noticed that no stations were available for shampooing or cutting hair; the owner confirmed that they had been removed.

Recommendation: Formal hearing with authority to settle by Consent Order and \$1,000.00 civil penalty.

5. Case No. L-07-BAR-RBS-200700680-1

March 5, 2008 Notice of Violation provides that master barber's license renewal was ten (10) days late and that he must mail in late renewal fee before continuing work. License roster now shows that the licensee is fully licensed.

Recommendation: Close with a letter of warning.

6. Case No. L-08-BAR-RBS-200800987-1

Inspector states in Notice of Violation issued March 28, 2008 that an individual was observed engaging in the practice of barbering with being properly registered in the State of Tennessee in an unregistered barbering facility.

Recommendation: Formal hearing with authority to settle by Consent Order and \$2,500.00 civil penalty.

7. Case No. L-08-BAR-RBS-200700901-1

Inspector states in Notice of Violation issued April 8, 2008 that he observed extremely unsanitary conditions in this shop. Inspector provided pictures which confirm his observations.

Prior History

6/12/98 - dirty shop (warning)

8/7/98 - dirty shop (violation, paid \$300.00)

2/6/99 - dirty shop (warning)

1/22/03 - dirty shop (warning)

5/5/04 - dirty shop (warning)

8/10/05 - dirty shop (warning)

Recommendation: Formal hearing with authority to settle by Consent Order and \$5,000.00 civil penalty.

MOTION was made by Mr. Vernon Winfrey and seconded by Mr. Joe Jones to approve the recommendations. Motion carried unanimously.

MOTION was made by Chairman J. B. Loring and seconded by Mr. Joe Jones to adjourn. Motion carried unanimously.